

## **APPENDIX K**

### **Emergency Protective Custody Admissions Procedure for Dangerous Sex Offender**

*Unless a medical or psychiatric emergency exists for which treatment at a medical facility is required, a person taken into emergency protective custody who has a prior conviction for a sex offense (sect. 29-4003) shall be admitted to a jail or Department of Correctional Services facility.*

## **EMERGENCY PROTECTIVE CUSTODY ADMISSIONS PROCEDURE FOR DANGEROUS SEX OFFENDER**

**PURPOSE:** To provide emergency care to persons/subjects requiring psychiatric evaluation who are under police custody & BELIEVED TO BE A DANGEROUS SEX OFFENDER, and to facilitate communication between health care providers and law enforcement agencies

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### **PROCEDURE:**

**If Law Enforcement believes person to be mentally ill and a dangerous sex offender AND the individual is in need of psychiatric and/or medical treatment prior to MHB proceeding:**

1. Law Enforcement issues EMERGENCY ADMITTANCE PURSUANT TO CERTIFICATE OF A PEACE OFFICER (**Dangerous Sex Offender**) and transported to a Community Hospital/Crisis Center.
2. The Law Enforcement Agency will provide the Hospital/Crisis Center staff with a copy of the EPC certificate (EMERGENCY ADMITTANCE PURSUANT TO CERTIFICATE OF A PEACE OFFICER) (**Dangerous Sex Offender**) when the subject is brought to the hospital. The copy must be placed in the subject's chart.
3. The Law Enforcement Agency will notify the hospital as soon as possible prior to the subject's arrival whenever feasible. Hospital staff will notify mental health provider, if they were not already notified by the Law Enforcement Agency.
4. Sex offenders must be treated at the hospital in the same manner of any other subject, i.e. A medical provider must be contacted using the regular procedure when a subject with an EPC-Sex Offender order presents to the ER ( Emergency Room).
5. Medical/psychiatric stability will be established by a medical/psychiatric assessment and treatment rendered as necessary.
7. All EPC subjects will be entered into the network management system by calling Magellan Behavioral Health and registering subject.
8. Medically unstable subjects will be admitted to the hospital if ordered by attending physician. These subjects may require a guard at their bedside if they are out of control and pose potential for harm to themselves or others. Law enforcement is responsible for providing this protection. The hospital is responsible for identifying medical/psychiatric needs and addressing them with the level of care necessary to maintain safety and promote stability.
9. The Region's Emergency System Coordinator will be notified by phone or by voicemail by contracted hospital staff of admissions within 24 hours, including weekends. Phone

numbers are available from the respective Regional Behavioral Health Office or Regional Program Administrator.

10. Sex offenders with psychiatric/medical conditions must be cared for in the same manner as any other subject in emergency protective custody or under a mental health board commitment.

11. Discharge orders must be written by the medical provider to dismiss or transfer a subject from the hospital. Law Enforcement Agencies may provide additional instructions as needed.

12. EPC-Sex Offender orders can only be lifted by the County Attorney or the Board of Mental Health. Clarify the origin of all orders to lift an EPC.

13. If EPC-Sex Offender subject is going to MHB hearing, the EPC unit (Crisis Center/Hospital) shall notify Magellan (HHS agent) for assistance in securing appropriate Sex Offender Treatment and authorization PRIOR to the hearing. If a subject is committed for either Inpatient or Outpatient services, Crisis Center/Hospital staff must pre-authorize those services. If the service recommended for commitment is inpatient level of care, HHS, Division of Behavioral Health will determine the location of the service provider.